

CITY OF MILFORD  
REGULAR MEETING  
DECEMBER 4, 2012  
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 4<sup>th</sup> day of December 2012 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Rick Fortune, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Also present: Elaine Plessel, Dave Henke with JEO, John Melena, Jonathan Jank, T.J., Sarah and Hannah Reynolds and Logan Tuttle with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

**CALL TO ORDER:** Mayor Dean Bruha called the meeting to order at 7:35 pm. and publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Library Meeting Room.

**MINUTES:** A motion was made by Baker and seconded by Kral to approve the minutes of the November 6, 2012 meeting. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

**PAYMENT OF BILLS:** A motion was made by Heckman and seconded by Kral that the following bills in the amount of \$173,745.14; Bond Interest of \$5,977.50; Bond Principal of \$70,000.00 and payroll in the amount of \$27,689.74 approved by the Auditing Committee be approved for payment. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

**SALARIES:**

54537	Mark Frey	1530.47
54538	Forrest Siebken	1365.95
54539	Mavis Ferris	85.37
54540	Jeanne Hoggins	1335.38
54541	Gary TeSelle	881.64

54542	Robert Hull	1269.82
54543	David Dahle	1102.50
54544	George Matzen	697.79
54545	Tracy Yeackley	692.48
54546	Benjamin Rediger	864.74
54547	Craig Corder	1283.31
54548	Jason Meyer	1243.89
54549	Sean Stahly	224.09
54550	Lisa Aschoff	604.23
54551	Erica Pallas	261.38
54559	Mark Frey	1530.47
54560	Forrest Siebken	1365.95
54561	Mavis Ferris	69.36
54562	Jeanne Hoggins	1335.38
54563	Gary TeSelle	803.03
54564	Robert Hull	1105.49
54565	David Dahle	1089.29
54566	George Matzen	679.48
54567	Tracy Yeackley	786.10
54568	Benjamin Rediger	832.43
54569	Craig Corder	1459.59
54570	Jason Meyer	1127.72
54571	Sean Stahly	140.51
54572	Lisa Aschoff	442.54
54573	Erica Pallas	273.31
54574	Timothy Long	66.33
54575	Leslie Frazier	384.94
54578	Ricky Fortune	141.52
54579	Dean Bruha	188.70
54580	Jeffery Baker	141.52
54581	Jeff Heckman	141.52
54582	Dan Kral	141.52

**GENERAL FUND:**

54500	Allied Insurance- Bond Renewal Jeanne	175.00
54501	American Building Inspectors- Inspection & Mo.Fee	810.00
54502	Aramark Uniform Services- Pants & Rags	586.18
54503	AT&T- Long Distance	2.14
54504	Black Hills Energy- Service for October	219.90
54505	Diode Communications- Service for October	55.22
54506	Eakes Office Plus- Paper, Name Plate, Stamp	117.19
54507	Farmers Co-op- Gas/Diesel for Oct, Tire Repair	1267.38

54508	Great Plains-One Call- Locate Requests	12.12
54509	John Deere Financial- Gas Fuel Tank, 12" Saw Bar	133.68
54510	JR Welding- Weld Alum. Bracket	25.00
54511	Matthew Bender & Co.- Criminal/Traffic Law Books	108.04
54512	Milford A/C & App- Floor Register	21.98
54513	Municipal Supply- Parts for Pool, Curb Box, Risers	9177.26
54514	Mutual of Omaha- Disability	30.24
54515	NE Motor Parts- Batteries, Headlamps, Brake Fluid	217.76
54516	NPPD- Service for October	6135.52
54517	Newman Traffic Signs- Handicap Parking Signs	74.36
54518	OCE Imagistics- Oct & Nov Copies	54.31
54519	Pac-N-Save- Food	223.45
54520	Pavers Inc.- Asphalt	134.20
54521	Pizza Kitchen- Catered Meals	178.50
54522	Roxanne Roth- Cleaning Services	100.00
54523	Servi-Tech Inc.- Wastewater Analysis Package	67.45
54524	Seward Co. Public Power- Wells 1 & 2	935.98
54525	Seward Co. Independent- Notices & Ordinances	295.88
54526	Seward Co. Treasurer- E911 4% Budget	20837.48
54527	Shell Fleet Plus- Gas for '08 Truck	258.17
54528	Shell Fleet Plus- Car Gas	40.46
54529	State of Nebraska- Elevator Inspection	100.00
54530	Sunrise Country Manor- Meals for Oct	929.25
54531	The Garbage Co- Service for Oct	143.75
54532	Toyne, Inc.- Truck Repair	236.35
54533	Uribe Refuse- Garbage Pickup	37.00
54534	Verizon Wireless- Cellular Charges	102.28
54535	Verizon Wireless- MDC Air Card	80.02
54536	Windstream- Service for Oct	517.47
54553	Union Bank- HSA	705.00
54554	Aflac- Dis, Cancer, Acc, Suppl	567.66
54555	Companion Life Insurance- Dental Coverage	512.30
54556	Companion Life Insurance- Vision Coverage	23.39
54557	Coventry Health Care- Health Ins (Dec 2012)	8516.12
54558	Fort Dearborn- Life Insurance	120.40
54576	Ameritas- Pension	1684.08
54577	Union Bank- HSA	705.00
54583	Alamar Uniforms- Collar Brass	52.98
54584	Aloha Roth- Cake	20.00
54585	Baker & Taylor- Books	648.70
54586	Bibliox- Appollo Automation	1415.20

54587	Blevens Law Office- Legal Services	350.00
54588	Briggs- Paint, Sand, Cloth	59.76
54589	Canon Financial- Contract Charge	254.00
54590	Card Service Center- Hard Drive, Pressure Transducers	335.88
54591	CBS Reporting- Monthly Memberships	60.00
54592	Petty Cash- Misc Items, Postage, Start-up Meals/coffee	100.86
54593	Culligan- Drinking water, softener rent, water	77.30
54594	Demco- Book Covers	217.70
54595	EMC- New Loader Insurance	230.00
54596	Emergency Medical Products- Suction unit, masks	2675.39
54597	George Matzen- Books, Monitor, Soap	352.45
54598	Great American Opportunities- Magazines	126.50
54599	Great America Leasing- Meter Rental	80.00
54600	JEO- 1 to 6 yr. report, construction service pool	4190.00
54601	JR Welding- Repair on 2000 GMC	75.00
54602	Kelly Supply- 2" Adapter	5.16
54603	Lincoln Journal Star- Newspaper	202.60
54604	Matheson Tri-Gas- Oxygen	76.26
54605	Milford A/C & Appliance- Furnace Repair	710.54
54606	Milford School Dist- Parking Fines	40.00
54607	Milford Valu-Rite Pharmacy-Epi Pens (Adult & Jr.)	378.00
54608	Municipal Supply- Gasket kit, Valve	1415.94
54609	Murphy Tractor & Equip- JD 310K Loader	71583.00
54610	Nebraska Public Health- Coliform	43.00
54611	Office Depot- Business cards, Computer Monitor	225.80
54612	Card Services- PVC Inserts	5.94
54613	Outdoor Recreation Products- Water Plug	10800.00
54614	Pizza Kitchen- Veteran's Day Meal	402.19
54615	Power Plan- Diver of 310K Loader	400.00
54616	Reader Service- Books	12.99
54617	Roxanne Roth- Cleaning Services	75.00
54618	Servi-Tech, Inc.- Waste Water Analysis Package	84.70
54619	Seward County Independent- Newspaper ads	49.40
54620	Shell Fleet Plus- Fuel	715.17
54621	Taste of Home- Cook Book	31.98
54622	TooFast Supply- Blades	202.28
54623	Union Bank- Gary TeSelle Acct/ Medicare Part D	431.50
54624	United Industries- Pool Materials	12554.29
54625	Verizon Wireless- Cell Phones	94.76
54626	Verizon Wireless- 2 Months Well Control Monitor	80.04
54627	Wal-Mart- Cleaning Supplies, Kleenex, Food	146.28

54628 Windstream- Sewer Plant Phone, Sr Center Phone 147.37

**REPORTS OF OFFICERS, BOARDS AND COMMITTEES:** Written reports received were Milford Housing Authority minutes for November 15, 2012; Milford Aging Services Commission minutes for November 27, 2012; Police Dept. activity report for November 2012 and MVFD Fire & Rescue NARSIS Report for November 2012. Baker - Lt. Governor Sheehy toured Seward County on November 27<sup>th</sup> and he had lunch with him at S.C.C. There was discussion held regarding what Milford had to offer followed by a tour of S.C.C. We are in the process of implementing a “meals at home” type program at the Sr. Center thru Kathy Ruzicka’s aging services program. She is in the beginning stages of organizing and the plan is to deliver meals to those individuals that are unable to leave their homes. Frey - new loader has arrived and is very nice. Dave Henke with JEO gave an update on the wading pool improvement project. Chief Siebken noted the E911 Agency Board is exploring remodeling the Communications Center. Phases were discussed depending on the cost. Fortune – beginning stages of exploring options with JEO to blend water with other wells than just well #3. After this dry summer it is time to look into some type of options.

**COMMUNICATIONS:** \*Sales tax received for the month of September 2012 in the amount of \$12,631.61. \*NPPD 3<sup>rd</sup> quarter 2012 lease agreement payment received in the amount of \$72,625.59. \*Zito Media programming cost increase of 6-7% will require an average customer bill increase of slightly more than 3%. \*Invitation to a Health Care Reform presentation by speaker Sean McGuire in Seward on December 18, 2012.

**PUBLIC HEARINGS:**

**Application for Class C Liquor License, Thornridge Golf Course, 801 S. D Street, Milford:** Mayor Bruha opened the Public Hearing at 7:46 pm and opened the floor for comments. T.J. Reynolds commented on the concern for Sunday liquor sales which has been approved. He wanted the public to know that the Golf Course is not getting a liquor license to become a bar or eating establishment. It is strictly a source of revenue to help meet their budget. The last 5 out of 6 years they have not met their budget. It was encouraged by the State to apply for a Class C license so if they want to sell liquor they can. The Golf Course is not looking to sell much liquor if any. They are focusing mainly on beer sales. Class C offers both on and off sale. The Golf Course had to apply for a County liquor license as well, which was approved this morning, due to the course property being in the County and the pro shop is in the corporate limits. They are discussing ways of monitoring alcohol entering the premises. Signs will be posted and the parking lot may be roped off. They will do the best they can to police the

situation. With no further questions or comments Mayor Bruha closed the public hearing at 7:53 pm.

**UNFINISHED BUSINESS:**

**Introduction and Adoption of Ordinances – Delinquent WA/SW**

**Accounts:** A motion was made by Fortune and seconded by Kral to introduce the following ordinance:

ORDINANCE NO. 866

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, PERTAINING TO BILLING FOR SEWER SERVICES PROVIDED BY THE MUNICIPALITY; TO FILE SEWER LIENS FOR DELINQUENT ACCOUNTS; TO DEFINE THE TERMS CUSTOMER OR CONSUMER OF SEWER SERVICES TO INCLUDE THE PROPERTY OWNER; TO PROVIDE THAT THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PAYMENT OF BILLS OF ALL SEWER SERVICES PROVIDED BY THE MUNICIPALITY; TO PROVIDE FOR CONDITIONS FOR THE RESUMPTION OF SEWER SERVICES FOLLOWING A DISCONTINUANCE OR DISCONNECTION OF SEWER SERVICE; TO PROVIDE PENALTY FOR VIOLATION HEREOF; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS THEREOF; TO PROVIDE FOR THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.  
(See Ordinance Record)

A motion was made by Fortune and seconded by Kral to introduce the following ordinance:

ORDINANCE NO. 867

AN ORDINANCE OF THE CITY OF MILFORD, NEBRASKA, PERTAINING TO BILLING FOR WATER SERVICES PROVIDED BY THE MUNICIPALITY; TO FILE WATER LIENS FOR DELINQUENT ACCOUNTS; TO DEFINE THE TERMS CUSTOMER OR CONSUMER OF WATER SERVICES TO INCLUDE THE PROPERTY OWNER; TO PROVIDE THAT THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PAYMENT OF BILLS OF ALL WATER SERVICES PROVIDED BY THE MUNICIPALITY; TO PROVIDE FOR CONDITIONS FOR THE RESUMPTION OF WATER SERVICES FOLLOWING A DISCONTINUANCE OR DISCONNECTION OF WATER SERVICE; TO PROVIDE PENALTY FOR VIOLATION HEREOF; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS THEREOF; TO PROVIDE FOR THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT.  
(See Ordinance Record)

**Discussion /Action – T.I.F. Implementation and Economic Development Update SCEDC, Jonathan Jank:** Jonathan reported the County wide visit with Lt. Governor Sheehy was excellent. Council member Baker, Supt of Schools Kevin Wingard and 2 ESU employees along with Jonathan were available to discuss what Milford was working on. It is pretty apparent there are a lot of wonderful things going on. They also toured Digitec as well as S.C.C. Jonathan then went on to talk about T.I.F. and the benefits. He would like the City of Milford to consider adopting T.I.F. During his 9 months on the job, it's become clear that T.I.F. is a beneficial economic development tool, to help recruit new business as well as helping existing business expand. Many cities across the state currently have T.I.F. in place. He is currently working on 3 projects, in and around Milford, that have interest in T.I.F. Jonathan referenced City of Seward's T.I.F. overview. He then mentioned that the City of Schuyler is in the process of implementing T.I.F. and they suggested public input with study sessions. Jonathan would like Milford to consider T.I.F. and go thru an educational process. He wondered if the Council would be willing to set up some time and have JEO come back out for study session. Mayor Bruha suggested an evening meeting.

**Discussion/Action Disbursement Agreement, SCEDC:** Council member Baker reported that last month a disbursement agreement was presented and discussion was held regarding City of Milford becoming a certified city. We need to give Jonathan an idea of what direction Milford wants to go. It was mentioned to remove paragraph 3 from the agreement. The Council asked Attorney Blevens to insert a new paragraph including T.I.F. A motion was made by Baker and seconded by Kral to approve the disbursement agreement as presented. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

Bill White arrived.

#### **NEW BUSINESS:**

**Council Assignments:** With no request for change, Mayor Bruha recommended leaving the Council assignments as they are. He also wants to divide the community into 4 quadrants assigning a council member per section to drive around weekly and report any concerns. A motion was made by Baker and seconded by Kral to accept the council assignments as presented. Roll call vote: Baker yes, Kral yes, Fortune yes, Heckman yes. Motion carried.

**Election of Officers:** A motion was made by Heckman and seconded by Fortune to renew the officer positions of President of Council – Jeff Heckman and Acting President of Council – Dan Kral. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

**Appointments/Reappointments:**

**Chief of Police** – A motion was made by Kral and seconded by Heckman to approve the Mayor’s recommendation to reappoint Forrest Siebken as Chief of Police. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune yes. Motion carried.

**City Clerk/Treasurer** - A motion was made by Baker and seconded by Fortune to approve the Mayor’s recommendation to reappoint Jeanne Hoggins as City Clerk/Treasurer. Roll call vote: Baker yes, Fortune no, Heckman yes, Kral yes. Motion carried.

**Maintenance Supt.** - A motion was made by Kral and seconded by Fortune to approve the Mayor’s recommendation to reappoint Mark Frey as Maintenance Supt. Roll call vote: Kral yes, Fortune yes, Baker yes, Heckman yes. Motion carried.

**Street Supt.** - A motion was made by Heckman and seconded by Kral to approve the Mayor’s recommendation to reappoint Troy Johnston with JEO as the Street Supt. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

A motion was made by Heckman and seconded by Kral to approve the Mayor’s recommendation to appoint Rosalee Huss to the Milford Aging Services Commission for a 2 year term beginning 1/1/13. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune yes. Motion carried.

**Continuation Order 2<sup>nd</sup> Semester – Webermeier Scholarships:** A motion was made by Baker and seconded by Heckman to approve 24 Webermeier Scholarships at \$375.00 each for the 2<sup>nd</sup> Semester of the 2012-2013 school year. Roll call vote: Baker yes, Heckman yes, Fortune yes, Kral yes. Motion carried.

**Hire Assistant Library Director and set wage:** A motion was made by Heckman and seconded by Fortune to approve hiring Leslie Frazier as Assistant Library Director at \$8.00 per hour. Roll call vote: Heckman yes, Fortune yes, Baker yes, Kral yes. Motion carried.

**One & Six Year Plan Update/Review – Dave Henke, JEO:** Dave Henke provided information to outline the Highway Allocation funding and the One & Six Year Plan. He noted 2 projects that are listed on our Six Year Plan: Welch Park Rd from Hwy 6 to Oak Ave estimated at \$750,000.00 and Oak Ave from Oak Ave West to F Street estimated at \$235,000.00. The alleys behind the Pizza Kitchen and Fire Station were discussed previously but alleys cannot be listed as projects on the One & Six Year Plan. Discussion was held to consider these projects at budget time.

**Action on application for Class C Liquor License, Thornridge Golf Course, 801 S D Street, Milford:** A motion was made by Kral and seconded by Baker to approve the request for a Class C Liquor License by

Thornridge Golf Course. Roll call vote: Kral yes, Baker yes, Fortune yes, Heckman yes. Motion carried.

**Economic Development request for funds – WHVOBE Properties, LLC:** Attorney Blevens reported the bldg. that Austin Co./Bill White is putting up is owned by WHVOBE Properties, LLC, so he is putting both names on the loan and grant. Originally a deed of trust was going to be used but Bill White has agreed to put up a CD in the amount of \$20,000.00. Discussion was held as far as the number of employees and payroll amount needing to be met before the loan is forgiven and also the length of time these targets need to be maintained. After lengthy discussion it was decided that the target points of 11 employees and \$900,000.00 in payroll will need to be maintained for 2 out of the 5 years in order for the loan to be forgiven in full. Attorney Blevens was asked to write up the contract agreement again with the changes and a special meeting will be scheduled for next Friday to finalize this process.

**Introduction and Adoption of Ordinance – Amend ordinance #669; Parking: Violations Bureau, Increase Fine from \$5.00 to \$10.00:** A motion was made by Heckman and seconded by Kral to introduce the following ordinance:

ORDINANCE NO. 868

AN ORDINANCE TO AMEND ARTICLE 5, SECTION 5-514 OF THE MILFORD MUNICIPAL CODE RELATING TO PARKING; VIOLATIONS AND FINES, TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

**Discuss/Action Strategic Planning survey for Milford:** Council member Baker reported that Utica and Seward are in the process of completing their strategic planning survey. Both communities are working with JEO on this project. Baker would like to see Milford setting goals and prioritizing projects. Public feedback is an important part of this project. He would like the Council and Department heads to list projects they feel worthy of being rated and submit them to Clerk Hoggins. A survey will be created for the community to rate these projects along with allowing their input on other areas. NPPD can be a great source for assistance. It was mentioned to also start on a capital improvement plan.

Item tabled until next month.

**Change date of January City Council meeting:** The Council agreed to change the meeting date to Wednesday, January 2, 2013.

**ADJOURNMENT:** A motion was made by Fortune and seconded by Kral to adjourn the meeting. Roll call vote: Fortune yes, Kral yes, Baker yes, Heckman yes. Motion carried and meeting adjourned at 9:35 pm.

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Jeanne Hoggins, City Clerk

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Dean A. Bruha, Mayor

### CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on December 4, 2012 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

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Jeanne Hoggins, City Clerk